

**Michigan Commission of Agriculture
Meeting Minutes
April 2000**

**Michigan Department of Agriculture
Commission of Agriculture
Ottawa State Office Building, 4th Floor, Pridgeon Conference Room
611 West Ottawa Street, Lansing, Michigan**

**Meeting Minutes
April 13, 2000**

PRESENT:

**James Maitland, Chair, Commission of Agriculture
Jordan Tatter, Vice-Chair, Commission of Agriculture
Shirley Skogman, Secretary, Commission of Agriculture
Douglas Darling, Commission of Agriculture
Deanna Stamp, Commission of Agriculture
Dan Wyant, Director, Michigan Department of Agriculture**

OTHERS PRESENT: *(All or part of the meeting):*

**Michigan Department of Agriculture Staff
David Bertram, Michigan Townships Association
Ernie Birchmeier, Michigan Farm Bureau
Gary Boersen, Michigan Department of Environmental Quality
Tim Goodrich, Michigan Farm Bureau
Steven Hepker, The Jackson Citizen Patriot
Larry Julian, State Representative
Ben Kudwa, Michigan Potato Industry Commission
Dr. Maynard Hogberg, Michigan State University
Ron Nelson, Michigan Farm Bureau
Terri Novak, Michigan Department of Environmental Quality
Rick Olivarez, Michigan Department of Career Development
Howard Person, Michigan State University
Scott Piggott, Michigan Farm Bureau
Brian Rajzer, Michigan State University**

CALL TO ORDER AND ROLL CALL

Chair James Maitland called the meeting of the Commission of Agriculture to order at 8:32 a.m., on Thursday, April 13, 2000. Commissioner Skogman called the roll with Director Wyant and all Commissioners present.

APPROVAL OF APRIL 13, 2000, MEETING AGENDA

MOTION: COMMISSIONER SKOGMAN MOVED TO APPROVE THE APRIL 13, 2000, COMMISSION OF AGRICULTURE MEETING AGENDA AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF MARCH 9, 2000, MEETING MINUTES

MOTION: COMMISSIONER DARLING MOVED TO APPROVE THE MARCH 9, 2000, COMMISSION OF AGRICULTURE MEETING MINUTES WITH A CORRECTION TO PAGE 3, PARAGRAPH 1, AS COMMISSIONER DARLING DID NOT ATTEND THE LAND USE CONFERENCE AS RECORDED.

SECONDED. MOTION CARRIED UNANIMOUSLY.

NEXT MEETING:

The next regular meeting of the Commission of Agriculture will be held on Wednesday, May 10, 2000, in the Michigan Department of Agriculture Pridgeon Conference Room, 4th Floor, Ottawa State Office Building, 611 West Ottawa Street, Lansing, Michigan. The business session is tentatively scheduled to begin at 10:30 a.m. and recess at approximately 5:00 p.m.

APPROVAL OF COMMISSIONERS' PER DIEM AND TRAVEL:

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE FOLLOWING COMMISSIONERS' PER DIEM AND/OR TRAVEL:

- **COMMISSIONER STAMP'S PER DIEM AND TRAVEL TO ATTEND TWO BOVINE TUBERCULOSIS ADVISORY COMMITTEE MEETINGS HELD IN LANSING, MICHIGAN, ON MARCH 22 AND MARCH 31, 2000;**
- **COMMISSIONER MAITLAND'S TRAVEL FROM ACME TO LANSING AND RETURN TO PARTICIPATE IN THE ULTIMATE FARMLAND TOUR, MARCH 29-APRIL 11, 2000;**
- **COMMISSIONER DARLING'S TRAVEL TO ATTEND THE GOVERNOR'S PRESS CONFERENCE HELD AT THE MICHIGAN STATE FAIR IN DETROIT ON APRIL 12, 2000.**

SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF DIRECTOR'S OUT OF STATE TRAVEL:

MOTION: COMMISSIONER SKOGMAN MOVED TO APPROVE DIRECTOR WYANT'S TRAVEL TO ATTEND THE FOLLOWING:

- **MAY 6-8, 2000, NASDA BOARD MEETING AND FOOD MARKETING INSTITUTE'S U.S. FOOD EXPORT SHOWCASE, CHICAGO, ILLINOIS;**
- **JUNE 20-22, 2000, GREAT LAKES STATE/ONTARIO AND QUEBEC MINISTRIES OF AGRICULTURE MEETING, MADISON, WISCONSIN;**
- **JULY 22-26, 2000, MASDA MEETING, EXCELSIOR SPRINGS, MISSOURI;**
- **SEPTEMBER 22-27, 2000, NASDA MEETING, COLUMBUS, OHIO.**

SECONDED. MOTION CARRIED UNANIMOUSLY.

COMMISSIONERS' COMMENTS:

Commissioner Douglas Darling reported that farmland in Southeast Michigan is very dry. He attended the Milan FFA Banquet, County Cooperative Extension meetings, and the Governor's press conference held at the Michigan State Fairgrounds. Commissioner Darling was disappointed about the negative media coverage received relating to the proposal for a new auto racetrack at the fairgrounds.

Commissioner Darling noted that the deer crop damage issue in his area continues to be of concern. He said that Representative Gene DeRossett, the Washtenaw County Extension office, and six other legislative members met with approximately 85 people from the area to discuss the crop damage situation.

Commissioner Shirley Skogman said there is concern in the Upper Peninsula about the rumor of a suspect bovine tuberculosis infected cattle herd in Delta County. She also said that many people in the U.P. have voiced concern about deer baiting and feeding. Commissioner Skogman has talked with staff at the Upper Peninsula State Fair and there is excitement about future plans for the fairgrounds. She said that Grant Larsen is doing a wonderful job in managing in the U.P. State Fair. Commissioner Skogman participated as a judge in the Young Farmer Discussion Group, held in Escanaba, sponsored by the Michigan Farm Bureau. The subject of the discussion was genetically modified organisms. She

also reported that there are at least two potato farmers in the Upper Peninsula who are considering not growing seed stock next year due to the lack of markets. She also noted that the weather in the Upper Peninsula is extremely dry.

Director Wyant said that trace forward testing has been done on the Delta County cattle herd that Commissioner Skogman referenced. There are seven suspect animals in the herd, but no animals have been sent to the laboratory at this time. He added that Dr. Nancy Frank of the Animal Industry Division would be providing an update on the bovine tuberculosis situation in Michigan later in today's meeting.

Commissioner Deanna Stamp reported that milk prices are down from one year ago. She also said that she has received a document developed by the United Dairy Industry of Michigan that addresses some of the food safety concerns relating to bovine tuberculosis. This question and answer document has been distributed to Michigan dairy processors and producer representative organizations. Commissioner Stamp reported that she attended two meetings of the TB advisory committee. The committee is reviewing the Animal Industry Act to identify the many changes that need to be made in response to the bovine tuberculosis situation in Michigan.

Commissioner Stamp also attended the Sanilac County Cooperative Extension Bovine Tuberculosis Satellite Conference Broadcast. She noted the interest from the attendees. There were questions raised about 4-H groups exhibiting animals at county fairs and the testing requirements. There was a strong consensus from the group that TB testing costs should be covered by the state.

Director Wyant responded that during the fair period last year, the state paid for the testing.

Commissioner Maitland recommended that this information be disseminated to 4-H groups and fairs as quickly as possible.

Commissioner Jordan Tatter reported that Southwest Michigan received frost/freeze damage to all tree fruit crops. Tart cherries and apples were the hardest hit. Blueberry and grape crop losses are not as serious. Bud development is three weeks advanced and more cold spells should be expected. Pollination, if under cool conditions, which reduces bee flight, will suffer and further reduce fruit set. Southwest Michigan is off to a very bad start and dry conditions persist.

Commissioner Tatter was the master of ceremonies at the Michigan Food Processors Association All-Industry Banquet, held during their spring conference in Grand Rapids. MDA staff manned a display booth during the well-attended, two-day annual educational event. He also took part in an event to honor Senator Spencer Abraham, and the Berrien County Lincoln Day program at which the Senator was the featured speaker. Senator Abraham referenced his awareness of Michigan and national agriculture concerns during his comments at both occasions.

Director Harding and members of the Department of Environmental Quality (DEQ) held a public informational meeting at Lake Michigan College. Each DEQ division had a table-top display with staff available to answer questions during the afternoon and a public comment/question period concluded the day. Commissioner Tatter took part in the response to several audience questions at the request of Director Harding.

Commissioner Tatter attended two Act 51 Transportation Study Committee meetings held since last month's Commission meeting. The committee has been meeting for more than one year, and more than 20 meetings have taken place. The draft report is in its third revision and has expanded from over 50 pages to over 100 pages, with appendix sections. The committee will have its report to the legislature on time.

Commissioner Tatter also attended the Annual County Road Association Highway Conference held in Lansing. Members of the legislature that are on the Act 51 committee were speakers. They reported on the Act 51 Study Committee's progress and responded to questions. At the bi-monthly meeting of the Tri-County Work Force Development Board, the mismatch of an early growing season and a lack of migrant labor in Southwest Michigan was specifically noted to the board and media by staff. Representative Marianne Middaugh was the guest speaker at the monthly Michigan Frozen Food

Packers Association meeting, giving an excellent review of Lansing legislative activities. One topic of interest was the Right to Process Act and what was happening with utilization of the legislation. Commissioner Tatter asked the processors to contact MDA with their needs and explained that the impetus for action must start with them.

Commissioner Tatter said that the Michigan Frozen Food Packers Association selected Director Dan Wyant to receive its Distinguished Service to Agriculture Award. Acting Michigan State University Dean of Agriculture Bill Taylor will be the speaker at the award banquet on April 26, 2000.

He also noted that the Michigan United Conservation Clubs conducted a Michigan deer herd management information program at Kalamazoo Community College. MSU Extension facilitated the program, and Department of Natural Resources (DNR) staff made presentations. The intent of the program was to receive public comment; over 80 people attended and 25 made presentations. All speakers were hunters, except for one non-hunting farmer. Negative comments about Farm Bureau legal threats, and hunter access refusal by farmers who complain of crop damage from deer, were repeated by several speakers. This program format will be repeated by the Michigan United Conservation Clubs, MSU, and DNR at seven other locations throughout the state during April.

Commissioner Tatter took part in a strategic planning exercise held by the Michigan Economic Environmental Roundtable held in Lansing on April 12. To some extent, he represents agriculture with this group and has found their efforts both productive and commendable. They could make an interesting presentation to the Commission, describing their accomplishments and extensive interface with agricultural issues.

He also attended the first Bovine Tuberculosis Satellite Conference Broadcast. The program was delivered, from 7:00 to 9:15 p.m., to more than 45 MSU Extension County Offices. He felt this was an excellent educational presentation and utilized an attractive and practical delivery method. As the course of the battle progresses to eradicate bovine tuberculosis from our livestock and wildlife, this unique method to contact and educate constituent groups may need to be utilized repetitively as the TB situation continues to evolve. He further stated that teleconferencing could be an informational/educational delivery system to veterinarians statewide. Commissioner Tatter believes it would be beneficial to find out how many people viewed the program at the county extension offices. MDA should ask MSU to produce that data.

Kenneth Swank, the president of Hilltop Nurseries in Hartford, Michigan, contacted Representative Fred Upton regarding the lack of progress with Canada concerning the sale of their peach trees to be shipped to Canada. The shipment of this planting stock is still subject to a Canadian quarantine hold due to Plum Pox Virus being discovered in Pennsylvania. Commissioner Tatter noted that Hilltop has indicated it could lose over \$350,000 if the shipment cannot be completed soon.

Commissioner Tatter believes that Act 72 of 1945, the Abandoned Orchard and Vineyards Removal Act, needs to be reviewed and enforced by MDA. Purchase of planted lands by developers, large parcel sales to rural homeowners, and economic reversals are all adding to abandonment of perennial fruit plantings. The emphasis on integrated pest management is threatened by the presence of the abandoned plantings. Loss of pesticide chemicals adds to the potential problem. Commissioner Tatter asked that Director Wyant review the Act and advise staff as to appropriate response if contacted by local elected officials, grower groups, or individual farmers for enforcement action. Commissioner Tatter believes that the language in the Act is outdated and MDA field staff is unsure as to their authority and funding is minimal.

Director Wyant stated that the issue of abandoned orchards would be an agenda item for the Commission's May meeting.

Commissioner James Maitland reported that Northern Michigan fruit is facing the same situation as Southern Michigan with continual cold weather threatening buds. It is also very dry and there will most likely be an early bloom. Commissioner Maitland participated in the "*The Ultimate Farmland Preservation Tour*," held March 30-April 3, 2000. The tour was very well run and Commissioner Maitland

felt it was a real eye-opener. There were four buses from Michigan, Indiana and Ohio. He noted that unless people see and learn how to preserve farms and save farmland firsthand, they really do not understand the big picture. He encouraged everyone who has the opportunity to participate in the tours.

UPDATE ON MICHIGAN'S POTATO INDUSTRY: Ben Kudwa, Executive Director of the Michigan Potato Industry Commission

Ben Kudwa, Executive Director of the Michigan Potato Industry Commission, discussed Michigan's potato situation. He said that Michigan's potato industry is greatly impacted by consolidation in the food industry. He said that acreage in Michigan is gradually increasing to about 50,000 acres of potatoes. The farm gate value of potatoes has increased from \$89 million in 1988 to over \$100 million this year. Unfortunately, grower numbers are decreasing; however, individual operations are becoming larger. The smaller growers are being impacted by this change, and they cannot adapt to this change very quickly. He agreed that the potato industry is not offering an equal opportunity to all potato growers. The Michigan Potato Industry Commission has developed a survey for its members to gather information about quality, markets, etc. Mr. Kudwa said that there are new storage facilities going up every year.

Mr. Kudwa explained that retail and processor consolidation is big issue. Michigan is the largest supplier of potatoes to Frito-Lay, a major chip manufacturer. Frito-Lay is an aggressive marketer of its products. Suppliers are changing, volume is changing and prices are affected. Mr. Kudwa said that growers are affected by the decisions of Frito-Lay. Frito-Lay only has five, large unit growers in Michigan. He noted that the current consumer trend is a desire for fast preparation products. Mr. Kudwa said that he is working with MDA's International Marketing Program to access markets in Central America. He stated that two emerging issues facing the potato industry are aerial application and further consolidation .

Commissioner Skogman asked about the possibility of K.I. Sawyer in the Upper Peninsula becoming a potato processing plant.

Mr. Kudwa responded that he is not optimistic that this location is viable for a potato processing plant.

Commissioner Skogman asked if Mr. Kudwa had suggestions on how to get Michigan growers to buy Michigan seed potatoes.

Mr. Kudwa responded that this is a complex issue. Frito-Lay has a closed circle of seed growers that it buys from, and those growers produce the potato varieties that the company dictates. The seed growers who are not in that circle only have access to about 30 percent of the Michigan market for selling their potatoes.

Director Wyant asked in what part of the state is aerial application an issue.

Mr. Kudwa responded that this an issue all over Michigan, but particularly in Southwest Michigan. He said that MDA held a meeting on April 10, 2000, to discuss the issues, and he felt it was an excellent presentation.

Director Wyant noted that occasionally the state's pesticide laws are often confused with the Right to Farm laws. He added that aerial applicators must follow very definitive laws and requirements that have nothing to do with Right to Farm.

LEGISLATIVE REPORT: Brad Deacon, Legislative Liaison

Brad Deacon, Legislative Liaison, distributed and reviewed copies of the April Legislative Report. He highlighted the following:

- The State Fair Bill was signed into law;
- The Food Code Law passed the House and Senate and will be going to the Governor for

signature;

- **The Groundwater Reauthorization Bill passed the Senate.**
- **The budget is moving along as expected.**
- **The Drain Code will most likely be in the Senate before adjournment in June.**

MDA is currently is working on changes to the Animal Industry Act, the Pesticide Act, and the Grain Dealers Act. It is also working with the Organic Growers Committee on language for legislation, as well as preparing a review of current milk laws.

Vicki Pontz-Teachout and Mr. Deacon distributed and reviewed copies of the *"Final Report of the Agricultural Subcommittee to Examine Generally Accepted Agricultural Management Practices."* The Agricultural Subcommittee members include Representatives Larry Julian, Gene DeRossett, Larry DeVuyst, John Hansen, and Dale Sheltroun. The subcommittee held hearings in Lansing, New Lothrop, Harrison and Monroe. Testimony was received from many individuals, including farmers, township officials and residents.

The subcommittee identified the following problems:

1) A lack of knowledge exists about GAAMPS, their formulation and the Right to Farm Program. The following recommendations were made:

- **MDA needs to work with local units of government and interest groups to better inform residents about the Michigan Right to Farm Act.**
- **GAAMP documents need to be made more readily available to farmers.**
- **The new toll-free phone number that is required under PA 261 needs to be well publicized.**

Ms. Pontz-Teachout said that MDA has identified and is currently working with the Michigan Farm Bureau and the Michigan Townships Association on communication efforts. Draft and final GAAMPs are available on the MDA web site and are updated.

2) Farmers need more information about and access to assistance programs designed to help implement pollution prevention strategies. Recommendations include:

- **The legislature should increase funding to groups such as conservation districts that can assist farmers in finding methods to reduce on-farm pollution.**
- **The legislature should approve funding for the new Agricultural Environmental Assurance Program, and should closely monitor the program to assure that the designed objectives are being met.**

Ms. Pontz-Teachout said that MDA has developed an Inspection Resource Guide to help farmers get the right resource people on location.

1. Measures are needed to assist in odor control:

- **MSU should work closely with other universities to continue and develop new cost-effective technologies that could assist in reducing odors from farms.**
- **PA 261 requires that MDA respond to all complaints within seven business days. The legislature should give the new process some time to see if it meets the needs of the state's residents when relating to odor complaints.**
- **The new GAAMPS being developed for the siting of new and expanding livestock facilities and odor control, as required by PA 261, should identify scientific criteria to be used in the siting of livestock facilities and identify practices that minimize odor from livestock facilities.**

Ms. Pontz-Teachout reported that MDA did a synopsis of complaints investigated during 1999 and the average response time is 7.4 business days. Two new staff people have been hired, who will assist in meeting the seven business day response requirement.

1. Current environmental protection laws need to be strictly enforced:

- **Current laws relating to protection of surface waters need to be strictly enforced.**
- **MDA and DEQ should update the Memorandum of Understanding between the two departments. Specifically, the section relating to emergency situations should be clarified. All direct discharges to surface waters should be considered emergency situations. The DEQ and MDA should work closely to prevent direct discharges and take enforcement action when those occur.**
- **MDA and DEQ should make individuals and premises that have had repeated verified non-compliance of the GAAMPs a top enforcement priority.**
- **MDA and DEQ should report to the House Agricultural Committee on the activities of the Right to Farm Program.**
- **This subcommittee may reconvene in the future if further problem areas or new concerns arise that are related to the Right to Farm Program.**

Ms. Pontz-Teachout said that MDA agrees that the laws need to be strictly enforced. This past year, MDA and DEQ have been working together to clarify language in the laws and the Memorandum of Understanding. Recommendations from the workgroup will be shared at the May Commission meeting.

Commissioner Tatter asked about MSU Extension's role in promotion awareness to farmers.

Ms. Pontz-Teachout responded that MSU Extension is the primary educational arm for disseminating GAAMP information out to farmers. MDA will be looking to MSU in the educational process and dissemination of information when the new GAAMP for Site Selection and Odor Control are finalized.

Director Wyant added that MDA has always had an outstanding working relationship with MSU. However, MDA and the Commission may want to review where MDA and MSU need to strengthen that partnership on certain issues.

DIRECTOR'S REPORT: Dan Wyant

Director Wyant distributed and reviewed his April activities. He highlighted the following:

- **He participated in discussions on the McManus Senate Ag Preservation Task Force initiatives that impact agriculture; i.e., implementation of the Use Value proposal to create a farmland preservation fund and board housed in MDA. The proposal includes consolidating PA 116 and the new farmland preservation board into one program. The proposal is currently being negotiated. One of the four bills involved in the proposal would require a Constitutional amendment.**
- **USDA staff, the national bovine tuberculosis eradicator coordinator, and APHIS administrator Dr. Craig Reed will be coming to Michigan to discuss USDA's recent review and findings of Michigan's bovine tuberculosis situation. Michigan has made a request to USDA and the Congressional delegation for an additional \$7.5 million in resources.**
- **A press conference was held April 12, 2000, at the Michigan State Fairgrounds to announce the proposal of a \$200 million investment into the fairgrounds and surrounding area. An auto racing track is being proposed on the fairgrounds; \$80 million in capital improvements; a new multi-purpose livestock building; a new equestrian center; total refurbishment of the existing coliseum, ag building, Michigan mart, and poultry building; demolition of the condemned race track and the adjacent clubhouse. It also includes construction of six Broadway and off-Broadway theatres, new sewer and water facilities, and the burial of electrical lines and landscaping.**

The Nederlander family would assume maintenance and security responsibilities, except for the period during the Michigan State Fair. The proposal includes \$80 million in capital improvements, \$74 million of lease payments, and a \$15 million assumption of expenses the state has assumed. The law recently passed sets up a restricted fund whereby any revenue generated above expenses would remain at the

state fair. The law also creates a long-term mechanism whereby improvements can continue to be made at the State Fair without any General Fund or taxpayer expense. An additional \$120 million is being proposed for improvements to the area adjoining the fairgrounds for the construction of hotels, restaurants, as well as retail development. There are adjacent communities that are concerned about the noise factor of an auto racetrack.

Director Wyant said that Barb Hensinger of the Fairs, Exhibitions and Racing Division would be providing more information later in today's meeting.

- DNR has proposed, and the Natural Resources Commission (NRC) is considering at its meeting today, three options relating to deer feeding and baiting as follows:
 1. For the 2000 season, an additional 36 counties in Northern Lower Peninsula would be included in an expanded Bovine TB Management Area resulting in no feeding or baiting of deer and elk. In 2001, these regulations would be expanded to include all of the Lower Peninsula.
 2. Same as Option 1, except that outside of the expanded Bovine TB Management Area the quantity of feed and bait would be two gallons per day in the Lower Peninsula, as well as the area of the Upper Peninsula south of highway US-2 from Escanaba to where highway US-2 initially intersects with the Michigan-Wisconsin boundary northwesterly of Iron Mountain. In the remainder of the Upper Peninsula, baiting and recreational feeding would remain at five gallons per day.
 3. For the year 2000, all of the Lower Peninsula would be closed to baiting and feeding of deer and elk.

The NRC could also eliminate baiting statewide; however, the Department of Natural Resources does not recommend the elimination of baiting in 2000.

Director Wyant reported that a telephone survey done recently indicated that Wisconsin, Texas, Ohio, Alabama, and New York have not banned baiting and feeding. The states of Iowa, Wyoming, Indiana, Pennsylvania and Illinois have banned baiting and feeding. Minnesota is currently moving toward a baiting and feeding ban.

- Director Wyant distributed and reviewed copies of a "*Visioning Session*" memorandum dated March 21, 2000. Division Directors met on February 25, 2000, for a visioning retreat. Each division director identified programmatic accomplishments for 1999 and the major initiatives for the year 2000.

DEMONSTRATION OF THE WEB SITE FOR MIGRANT WORKER RECRUITING: Marv Johansen, Environmental Stewardship Division, and Rick Olivarez of the Michigan Department of Career Development

Marv Johansen of the Environmental Stewardship Division explained that a task force was established at the request of the Commission to discuss the migrant worker situation in Michigan. One of the task force's recommendations was that a better communication system be developed for recruiting migrant workers. The system would benefit the worker, as well as the employer. The Department of Career Development, in cooperation with the Michigan Department of Agriculture, developed a new web site. Mr. Johansen introduced John Palmer, director of the Employment Service Agency, Department of Career Development.

Mr. Palmer reported that many changes have occurred recently for the migrant worker. In today's economy, there is a tremendous growth in jobs in other sectors. The challenge is to find sufficient workers in a timely fashion for the agricultural producer. Michigan relies heavily on other states, primarily Texas. Mr. Palmer said that the Department of Career Development developed a new web site that will supplement the current process being used to bring workers to Michigan and to connect those workers with employers. Mr. Palmer introduced Richard Olivarez, moderator/advocate in the Employment Service Agency; Jerry Deer, assistant moderator/advocate, and Ken Washburn, Internet web site developer.

Mr. Olivarez and Mr. Washburn gave a demonstration of the Michigan Department of Career Development, Migrant and Seasonal Farm Worker Program web site. The web site includes information on current job openings, grower profiles, seasonal crop information, agricultural employment specialists, migrant health services, general service information, migrant labor housing, day care and education. There are also many links to other state departments, including the Michigan Department of Agriculture. The web site address is <http://www.michaglabor.org>.

Mr. Johansen added that a group from Michigan visited Texas recently to promote Michigan's web site and to describe what employment opportunities are here in our state.

Commissioner Tatter suggested surveying the workers who come to Michigan to determine their awareness and usage of the web site.

Mr. Palmer agreed that it is very important to receive customer feedback from the worker and the producer on all of the services.

UPDATE ON FOOD CODE LAW: Katherine Fedder, director of the Food and Dairy Division

Katherine Fedder, director of the Food and Dairy Division, provided an update on the revisions to the Food Code Law. She said that a group of more than 90 people spent two years working on revisions to the law. Ms. Fedder said the new law:

- Creates a uniform law that both the local health departments and MDA will use when inspecting restaurants and grocery stores, respectively;
- Eliminates the duplication between inspection and licensing of those operations that have both a retail and restaurant operation within the same location. Only one license will be issued and one inspector, instead of one inspector from two agencies, will be providing the inspection.
- Provides a broader range of enforcement tools by providing an administrative penalty authority that can be used in addition to the option of sending a warning letter or revocation of a license.
- Adopts a stronger set of standards to be applied; e.g., manager knowledge requirements, no bare hands contact provision, consumer advisories, temperature requirement changes.
- Sets up a Consumer Food Safety Education Fund that will be funded partially through license fees with the money used in conjunction with other food safety programs.

The effective date will most likely be November 1, 2000, or six months after the Governor signs the bill.

Director Wyant expressed his appreciation to Kathy Fedder, Jerry Wojtala and Neal Fortin and other staff in MDA for the tremendous amount of work that went into bringing consistency and conformity to the Food Code.

Ms. Fedder also reported that a press conference was held recently publicizing the 800 toll-free telephone number available to the public to request inspection reports of retail food establishments.

PRESENTATION OF DRAFT GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR SITE SELECTION AND ODOR CONTROL: Dr. Maynard Hogberg, Michigan State University

Dr. Maynard Hogberg of Michigan State University distributed and reviewed the draft Generally Accepted Agricultural and Management Practices (GAAMPs) for Site Selection and Odor Control for public comment. Dr. Hogberg recommended Commission approval to release the draft for public comment.

MOTION: COMMISSIONER STAMP MOVED TO RELEASE THE DRAFT GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR SITE SELECTION AND ODOR CONTROL FOR

PUBLIC COMMENT ON MAY 2, 2000. SECONDED. MOTION CARRIED UNANIMOUSLY.

Vicki Pontz-Teachout, director of the Environmental Stewardship Division, explained that a public meeting has been set for May 2, 2000, at 1:30 p.m., to be held at the Michigan Library and Historical Center, Auditorium, Lansing, Michigan. The draft GAAMP and notification of the public meeting will go on the MDA web site and a news release will be issued with information for providing public or written comment.

RECESS

The meeting recessed at 12:10 p.m.

RECONVENE

The meeting reconvened at 1:15 p.m.

UPDATE ON BOVINE TUBERCULOSIS: Dr. Nancy Frank, Animal Industry Division

Dr. Nancy Frank of the Animal Industry Division distributed and reviewed recent information about bovine tuberculosis in Michigan. She provided the following information:

- Over 1,200 herds (66,800 animals) have been tested.
- Private practitioner veterinarians are currently receiving training.
- Approximately 3,400 animals or 43 herds have been tested in Osceola County; 1,000 animals or 30 herds have been tested in Antrim County, and 98 animals or four herds have been tested in Mecosta/Isabella Counties.
- The most recently diagnosed herd is located in Alpena County. This a beef operation of about 50 animals. The owner has agreed to depopulation and the animals are being sent to the MSU Animal Diagnostic Laboratory.
- There is another herd of concern located in Delta County of the Upper Peninsula. This is a dairy operation of about 300 animals. The owners voluntarily agreed to bovine tuberculosis testing at the end of March. This herd was implicated in a Wisconsin-based trace a few years ago. Of the animals tested, 83 were caudal fold suspect, one animal was a reactor on its comparative cervical test, and seven animals were suspect reactors.
- An outdoor cat in Alcona County has tested probe positive at the Michigan Department of Community Health for the *Mycobacterium tuberculosis*.
- MDA will be hiring 10 students for the summer to help with TB testing.

UPDATE ON CUSTOM EXEMPT SLAUGHTER PLANTS: Dr. Tina Smith-Burke and Dr. George Winegar of the Animal Industry Division

Dr. George Winegar distributed and reviewed information about Food Safety and Inspection Service (FSIS) slaughter plants. In January 1999 a study was initiated to determine where animals were being sent and how to best utilize resources in contacting the slaughter facilities to encourage more submissions of lesions for testing. Dr. Winegar said that approximately 200,000 head of cattle passed through Michigan auction markets in 1998, and there were only nine lesions submitted. The goal is obtain one submission for every 2,000 cows slaughtered.

He said that meetings have been held with the meat inspection staff at FSIS, and he has visited all of the circuits in Michigan. Dr. Winegar said he gives a slide presentation, distributes materials, and talks with the employees about the importance of submissions. He also has visited Wisconsin's four major plants, and Pennsylvania's two major plants that slaughter Michigan cows. The goal is to have every suspicious lesion submitted.

The USDA Veterinary Services of APHIS has a reward system in place that it uses to reward inspectors. If a sample from a steer is submitted and turns out to be TB, the reward is \$100. If the sample is

submitted from an adult animal, the reward is \$500. The inspectors can receive up to a \$2,000 award if enough information is submitted along with the sample; i.e., the ear tag and other identification that will assist USDA in locating the farm operation.

Dr. Tina Smith-Burke distributed and reviewed information on custom exempt slaughter plants in Michigan. Dr. Burke visits these plants to provide education on TB, what it looks like, and to solicit their help in submitting more samples. She said that educational packets are being distributed. The State of Michigan is offering rewards to these plants: \$100 if a steer is found to be positive, \$500 for an adult animal that is found to be positive, and \$2,000 if the submission leads to locating a new herd. The reward system provides an incentive to the plants, as well as assisting the state in developing an up-to-date database on plant locations in Michigan. Dr. Burke said there are an estimated 150 custom slaughter plants in Michigan and she has visited 61, primarily in Northeast Michigan.

PRESENTATION BY THE MICHIGAN STATE FAIR JUNIOR FAIR BOARD: Shannon Fisher of the Fairs, Exhibitions and Racing Division, and Brian Rajzer of Michigan State University

Shannon Fisher of the Fairs, Exhibitions and Racing Division distributed and reviewed information about the Michigan State Fair Junior Fair Board. She explained that the purpose of the Junior Fair Board members is to be leaders, promoters, ambassadors and educators of Michigan agriculture. The board has designed and implemented a Passport program for the Michigan State Fair whereby when children enter the gates they receive a passport. The passport leads them to 12 stops throughout the grounds and provides an opportunity visit the agriculture sector of the fair. The objective of the passport program is to provide fair-goers with an understanding that their food begins on the farm.

Brian Rajzer of Michigan State University and president of the Junior Fair Board provided the names of the current Michigan State Fair Junior Fair Board members. He explained that board members serve two-year terms and Dr. Gordon Guyer, former director of the Michigan Department of Agriculture, and Jim Baker of the Michigan Livestock Exchange, are the board's advisors.

APPROVAL OF RENTAL RATES AT MICHIGAN STATE FAIR: Barb Hensinger, Fairs, Exhibitions and Racing Division

Barb Hensinger of the Fairs, Exhibitions and Racing Division discussed the press conference held on April 12, 2000, at the Michigan State Fair. She explained that the press conference announced a new development for the Michigan State Fair. Negotiations have been ongoing with the Nederlander family to assist in the development and refurbishment of the fairgrounds. The Nederlander proposal is to manage the fairgrounds throughout the year, except for during the Michigan State Fair.

Ms. Hensinger explained that the proposal includes \$80 million in capital improvements, and the building of an auto racetrack and Grandstand, as well as off-Broadway theatre complexes. A purchase agreement has been initiated to purchase the 40-acre area adjoining the fairgrounds to develop hotels and restaurants. The concept also includes building condominiums, single-unit homes, and a senior citizen development to the south and east of the fairgrounds. The 30-year lease also provides for rent to the State Fair in order that once construction of the auto racetrack is completed, the state will receive \$500,000 annually for the first five years, \$1 million a year for the balance, and a percentage of ticket sales. They are estimating the creation of over 600 new jobs. Ms. Hensinger recommended Commission approval of the rental agreement and rental payments of the long-term lease.

Director Wyant said that the lease has been developed with the assistance and consultation of the Attorney General's office, Department of Management and Budget, Michigan Department of Agriculture, and Michigan State Fair staff. Approval and endorsement has been received from the Natural Resources Trust Fund, Natural Resources Commission, the State Fair Advisory Council, State Building Finance Committee and, if the Commission of Agriculture approves, it would go to the State Administrative Board, chaired by the Governor, for final contract approval.

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE MICHIGAN STATE FAIR LONG-TERM LEASE AGREEMENT. SECONDED. MOTION CARRIED UNANIMOUSLY.

Commissioner Stamp said that Charles Kline has expressed concern about county fair premiums. He maintains that \$10.00 per 4-H member is needed to support premiums at the county fair level. He asked why the department does not request more funds to meet this level.

Ms. Hensinger responded that both the Michigan Association of Fairs and Exhibitions and the Northern Michigan Fairs Association approached the legislature during the appropriations hearings to seek increased premium funding. A small percent increase was received. MDA would have had to fund about \$500,000 more than what was recommended in the Executive Budget this year to reimburse at 75 percent. In FY2000, MDA will be reimbursing fairs at 64 percent of their eligible premium amounts. MDA encourages county fair boards to talk with their local legislators about the importance of the state funding programs for the fairs.

DISCUSSION OF PERMANENT TRADE STATUS FOR CHINA: Tim Goodrich, Michigan Farm Bureau

Tim Goodrich of the Michigan Farm Bureau distributed and reviewed information about the permanent normal trade relations with China.

Commissioner Darling said that the United States has a bilateral agreement that has been negotiated. He believes the agreement is critical to agriculture. He added that by granting normal trade relations, there would be an agreement in place outlining how dispute resolutions would occur.

Mr. Goodrich stated that in 1999 the United States apple industry suffered great economic losses due to Chinese apple juice concentrate being dumped into U.S. markets at below production cost prices. If China had been subject to the same trading rules as the countries in the World Trade Organization, the dumping action could have been addressed as an unfair trading practice. Instead, the United States apple growers had to use an expensive process to prove the case to the International Trade Commission. A judgment was ultimately entered against China.

Commissioner Darling proposed the following resolution be adopted by the Commission and shared with Michigan's Congressional delegation.

WHEREAS, approximately one out of three acres of Michigan crop production depends on a viable export market and access to the Chinese market holds a very important opportunity for expanding our exports; and

WHEREAS, the trade agreement negotiated with China in November 1999 provides for their entry into the World Trade Organization and reduces trade barriers and tariffs on United States exports to China; and

WHEREAS, this agreement provides no concession by the United States on any Chinese imports to the United States; and

WHEREAS, granting Permanent Normal Trade Relations to China would provide them with equal status granted to 132 member countries of the World Trade Organization; and

WHEREAS, this status has been granted to China on an annual basis for the last 20 years; and

WHEREAS, failure to grant Permanent Normal Trade Relations to China will allow them to retain full access to United States markets, with no reciprocal benefit to United States producers and will reduce current agricultural exports to China as other countries gain preferential status in China; and

WHEREAS, allowing China entry into the World Trade Organization would help avoid and give speedy remedy to United States industries experiencing unfair trading practices.

THEREFORE, BE IT RESOLVED, that the Michigan Commission of Agriculture supports Permanent Normal Trade Relations Status for China and urges the United States Congress to vote in favor of

granting Permanent Normal Trade Relations to China; and

FURTHER, BE IT RESOLVED, that a copy of this resolution be delivered to the Michigan Congressional delegation upon its adoption.

MOTION: COMMISSIONER DARLING MOVED ADOPTION OF THE COMMISSION OF AGRICULTURE RESOLUTION SUPPORTING PERMENENT NORMAL TRADE RELATIONS STATUS WITH CHINA. SECONDED. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT:

Representative Larry Julian distributed and reviewed information relating to House Bill 5570, a bill to amend the Motor Fuels Quality Act. This bill would ban the use of the additive Methyl Tertiary Butyl Ether (MTBE) in Michigan. MTBE is an oxygenate that is required by the Federal Clean Air Act in certain areas such as Los Angeles and Chicago, and helps protect the ozone from smog. HB 5570 requires the director of the Michigan Department of Agriculture, by his authority under the Motor Fuels Quality Act, to ban MTBE in Michigan. There is also a movement nationally, through the EPA, to ban MTBE nationwide. Representative Julian is asking for support by the Commission of HB 5570, as amended.

Commissioner Tatter asked if the Director and MDA had reviewed the bill and its impacts.

Director Wyant replied that MDA recognizes the agricultural interest in this issue. He added that Director Russ Harding of the Michigan Department of Environmental Quality has asked to meet with him to discuss the issue. Director Wyant believes it would be of value for MDA to hold this discussion with DEQ.

Representative Julian said that he looks forward to hearing from Director Wyant on behalf of the Commission on this issue.

MOTION: COMMISSIONER DARLING MOVED THAT MDA DEVELOP A RECOMMENDATION ON HB 5570 AMENDMENTS AND REPORT ITS FINDING TO CHAIR MAITLAND FOR FINAL DECISION. SECONDED. MOTION CARRIED UNANIMOUSLY.

* * *

Director Wyant informed the Commission that the Natural Resources Commission would like to consult with the Commission of Agriculture on the proposed order to prohibit all deer and elk feeding. Director Wyant and Chair Maitland will consult with the members of the NRC to discuss the feeding issue. Details from those discussions will be shared with the Commission.

ADJOURN

MOTION: COMMISSIONER DARLING MOVED TO ADJOURN THE MEETING AT 3:15 P.M. SECONDED. MOTION CARRIED UNANIMOUSLY.

ATTACHMENTS:

- Attachment A Commission of Agriculture March 9, 2000, Meeting Minutes
- Attachment B Legislative Report – April 2000
- Attachment C *"Final Report of the Agricultural Subcommittee to Examine Generally Accepted Agricultural Management Practices"*
- Attachment D Director's Report – April 2000
- Attachment E *"Visioning Session"* Memorandum, dated March 21, 2000
- Attachment F "Draft Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control," April 2000
- Attachment G Bovine Tuberculosis Maps and Information
- Attachment H Custom Exempt Slaughter Plants
- Attachment I Michigan State Fair Junior Fair Board

Attachment J Permanent Normal Trade Relations with China
Attachment K House 5570, Motor Fuels Quality Act

Approved 5/10/00
Lansing, Michigan